

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 205

Case No. : Crl. Misc. No. M- 44888 of 2016

Date of Decision : February 01, 2017

Vinod Kumar and another Petitioners

vs.

State of Punjab and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

* * *

Present : Mr. V. K. Sachdeva, Advocate
for the petitioners.

Mr. Neeraj Yadav, AAG, Punjab.

Mr. Karan Garg, Advocate
for respondent no. 2.

* * *

DEEPAK SIBAL, J. :

Through the present petition filed under Section 438 Cr.P.C., grant of anticipatory bail is prayed for in Complaint Case No. 5833 dated 03.05.2012 titled as Lakhpat Rai Mittal vs. Ram Karan Aggarwal etc., filed under Sections 420, 467, 468, 120-B, 506, 454 and 379 IPC, at Police Station Kurali, District Ropar.

Learned counsel for the petitioners submits that the summoning order was served on the petitioners' father. The summons were misplaced and therefore, the petitioners could not remember the date of hearing before the Court, which was 25.10.2016. Resultantly, they did not appear. It is

submitted that the non-appearance was bona fide.

Learned counsel for the petitioners further submits that bona fides on the part of the petitioners is further reflected from the fact that in terms of the order passed by this Court in the present petition on 16.12.2016, the petitioners have appeared before the trial court on 22.12.2016 and on such date, they have been admitted to interim bail. Their bail bonds have been accepted to the satisfaction of the trial court.

Learned counsel for the petitioners further undertakes that the petitioners would appear before the trial court on each and every date, unless so specifically exempted by the Court.

After considering the afore-noted submissions and finding merit therein, the petition is allowed and order dated 16.12.2016 granting interim anticipatory bail to the petitioners is ordered to be made absolute, subject to the conditions prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered as an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

February 01, 2017
monika

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>